

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ALLSTATE INSURANCE COMPANY,
ALLSTATE INDEMNITY COMPANY,
ALLSTATE FIRE & CASUALTY INSURANCE
COMPANY, and ALLSTATE PROPERTY &
CASUALTY INSURANCE COMPANY,

Plaintiffs,

-against-

BRADLEY PIERRE, MEDICAL
REIMBURSEMENT CONSULTANTS INC.,
MARVIN MOY, M.D., RUTLAND d/b/a
MEDICALNOW, WILLIAM A. WEINER, D.O.,
and NEXRAY MEDICAL IMAGING, P.C. d/b/a
SOUL RADIOLOGY MEDICAL IMAGING

MRC Defendants.

Case No.: 1:23-cv-06572 (NRM) (LB)

JURY TRIAL DEMANDED

**DEFENDANTS BRADLEY PIERRE AND MEDICAL REIMBURSEMENT
CONSULTANTS INC.'S ANSWER WITH AFFIRMATIVE DEFENSES AND
CROSSCLAIMS**

Defendants Bradley Pierre (“Pierre”) and Medical Reimbursement Consultants Inc. (“MRC”) (collectively, “MRC Defendants”), by and through their attorneys, answer Plaintiffs’ complaint (“Complaint”), filed in the above-captioned action (“Action”) on September 1, 2023, as follows:

I. INTRODUCTION

1. The allegations set forth in paragraph 1 of the Complaint call for a legal conclusion to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 1 of the Complaint as to Defendants Marvin Moy, M.D.

(“Moy”), Rutland Medical P.C. d/b/a MedicalNow (“Rutland”), William A. Weiner, D.O. (“Weiner”), and Nexray Medical Imaging, P.C. d/b/a Soul Radiology Medical Imaging (“Nexray”)(collectively, the “Other Defendants”). As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 1 of the Complaint.

2. The allegations set forth in paragraph 2 of the Complaint call for a legal conclusion to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. The allegations set forth in paragraph 3 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 3 of the Complaint as to the Other Defendants. As to MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 3 of the Complaint.

4. The allegations set forth in paragraph 4 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 4 of the Complaint as to the Other Defendants. As to MRC Defendants, MRC Defendants deny the allegations contained in paragraph 4 of the Complaint.

5. The allegations set forth in paragraph 5 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations contained in paragraph 5 of the Complaint as to the Other Defendants. As to MRC Defendants, MRC Defendants deny the allegations contained in paragraph 5 of the Complaint.

6. The allegations set forth in paragraph 6 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, Plaintiffs cited to N.Y. Ins. Law § 5101, *et seq.* and 11 N.Y.C.R.R. § 65, *et seq.* (hereinafter, collectively referred to as “New York’s No-Fault laws”) in paragraph 6 of the Complaint, and New York’s No-Fault laws speak for themselves.

7. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 7 of the Complaint.

8. The allegations set forth in paragraph 8 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 8 of the Complaint.

9. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 9 of the Complaint as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 9 of the Complaint.

10. The allegations set forth in paragraph 10 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 10 of the Complaint.

11. The allegations set forth in paragraph 11 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 11 of the Complaint as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in the second sentence of paragraph 11.

12. The allegations set forth in paragraph 12 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 12 of the Complaint.

13. The allegations set forth in paragraph 13 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 13 of the Complaint.

14. The allegations set forth in paragraph 14 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 14 of the Complaint.

15. The allegations set forth in paragraph 15 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 15 of the Complaint.

16. The allegations set forth in paragraph 16 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations set forth in paragraph 16 of the Complaint.

17. The allegations set forth in paragraph 17 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 17 of the Complaint.

18. The allegations set forth in paragraph 18 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 18 of the Complaint.

19. The allegations set forth in paragraph 19 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 19 of the Complaint.

20. The allegations set forth in paragraph 20 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 20 of the Complaint.

21. The allegations set forth in paragraph 21 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 21 of the Complaint.

22. The allegations set forth in paragraph 20 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 22 of the Complaint.

23. The allegations set forth in paragraph 23 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 23 of the Complaint.

24. The allegations set forth in paragraph 24 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 24 of the Complaint.

25. The allegations set forth in paragraph 25 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 25 of the Complaint.

II. THE PARTIES

26. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 26 of the Complaint.

27. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 27 of the Complaint.

28. MRC Defendants admit the allegations set forth in paragraph 28 of the Complaint.

29. MRC Defendants admit the allegations set forth in paragraph 29 of the Complaint.

30. The allegations set forth in paragraph 30 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 30 of the Complaint.

31. The allegations set forth in paragraph 31 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 31 of the Complaint.

32. The allegations set forth in paragraph 32 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 32 of the Complaint.

33. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 33 of the Complaint.

34. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 34 of the Complaint.

35. The allegations set forth in paragraph 35 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 35 of the Complaint.

36. The allegations set forth in paragraph 36 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 36 of the Complaint.

37. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 37 of the Complaint.

38. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 38 of the Complaint.

39. The allegations set forth in paragraph 39 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 39 of the Complaint.

40. The allegations set forth in paragraph 40 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 40 of the Complaint.

41. MRC Defendants admit the allegations set forth in paragraph 41 of the Complaint.

42. MRC Defendants admit the allegations set forth in paragraph 42 of the Complaint.

43. The allegations set forth in paragraph 43 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 43 of the Complaint.

44. The allegations set forth in paragraph 44 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 44 of the Complaint.

45. The allegations set forth in paragraph 45 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 45 of the Complaint.

46. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 46 of the Complaint.

47. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 47 of the Complaint.

48. The allegations set forth in paragraph 48 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 48 of the Complaint.

49. The allegations set forth in paragraph 49 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 49 of the Complaint.

50. The allegations set forth in paragraph 50 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 50 of the Complaint.

51. The allegations set forth in paragraph 51 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 51 of the Complaint.

52. The allegations set forth in paragraph 52 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 52 of the Complaint.

53. The allegations set forth in paragraph 53 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 53 of the Complaint.

54. The allegations set forth in paragraph 54 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 54 of the Complaint.

55. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 55 of the Complaint.

56. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 56 of the Complaint.

57. The allegations set forth in paragraph 57 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 57 of the Complaint.

58. The allegations set forth in paragraph 58 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 58 of the Complaint.

59. The allegations set forth in paragraph 59 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 59 of the Complaint.

60. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 60 of the Complaint.

61. The allegations set forth in paragraph 61 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 61 of the Complaint.

62. The allegations set forth in paragraph 62 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 62 of the Complaint.

63. The allegations set forth in paragraph 63 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 63 of the Complaint.

64. The allegations set forth in paragraph 64 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 64 of the Complaint.

III. JURISDICTION AND VENUE¹

65. The allegations set forth in paragraph 65 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 65 of the Complaint.

66. The allegations set forth in paragraph 66 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 66 of the Complaint.

67. The allegations set forth in paragraph 67 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 67 of the Complaint.

68. The allegations set forth in paragraph 68 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 68 of the Complaint.

¹ Due to misnumbered title headings in Plaintiff's Complaint, Sections III-XI are labeled herein in chronological order as they appear in the Complaint.

69. The allegations set forth in paragraph 69 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 69 of the Complaint.

70. The allegations set forth in paragraph 70 of the Complaint are argument and call for legal conclusions, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 70 of the Complaint.

IV. NO-FAULT LAWS AND RELEVANT LICENSING STATUTES

71. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 71 of the Complaint.

72. The allegations set forth in paragraph 72 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 72 of the Complaint.

73. The allegations set forth in paragraph 73 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 73 of the Complaint.

74. The allegations set forth in paragraph 74 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 74 of the Complaint.

75. The allegations set forth in paragraph 75 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 75 of the Complaint.

76. The allegations set forth in paragraph 76 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 76 of the Complaint.

77. The allegations set forth in paragraph 77 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 77 of the Complaint.

78. The allegations set forth in paragraph 78 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 78 of the Complaint.

79. The allegations set forth in paragraph 79 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 79 of the Complaint.

80. The allegations set forth in paragraph 80 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 80 of the Complaint.

81. The allegations set forth in paragraph 81 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 81 of the Complaint.

82. The allegations set forth in paragraph 82 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 82 of the Complaint.

83. The allegations set forth in paragraph 83 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 83 of the Complaint.

84. The allegations set forth in paragraph 84 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 84 of the Complaint.

85. The allegations set forth in paragraph 85 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 85 of the Complaint.

86. The allegations set forth in paragraph 86 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 86 of the Complaint.

87. The allegations set forth in paragraph 87 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 87 of the Complaint.

88. The allegations set forth in paragraph 88 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 88 of the Complaint.

89. The allegations set forth in paragraph 89 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 89 of the Complaint.

90. The allegations set forth in paragraph 90 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 90 of the Complaint.

91. The allegations set forth in paragraph 91 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 91 of the Complaint.

92. The allegations set forth in paragraph 92 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 92 of the Complaint.

93. The allegations set forth in paragraph 86 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants respectfully refer the Court to N.Y. Ins. Law § 403(d) for the effect and meaning thereof.

94. The allegations set forth in paragraph 94 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 94 of the Complaint.

95. The allegations set forth in paragraph 95 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 95 of the Complaint.

96. The allegations set forth in paragraph 96 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 96 of the Complaint.

97. The allegations set forth in paragraph 97 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 97 of the Complaint.

98. The allegations set forth in paragraph 98 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 98 of the Complaint.

99. The allegations set forth in paragraph 99 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 99 of the Complaint.

100. The allegations set forth in paragraph 100 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 100 of the Complaint.

101. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 101 of the Complaint.

102. The allegations set forth in paragraph 104 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 102 of the Complaint.

103. The allegations set forth in paragraph 103 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 103 of the Complaint.

104. The allegations set forth in paragraph 104 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 104 of the Complaint.

105. The allegations set forth in paragraph 105 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 105 of the Complaint.

V. FACTUAL ALLEGATIONS RELEVANT TO ALL CLAIMS

106. The allegations set forth in paragraph 106 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 106 of the Complaint.

107. The allegations set forth in paragraph 107 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 107 of the Complaint.

108. The allegations set forth in paragraph 108 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 108 of the Complaint.

109. The allegations set forth in paragraph 109 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 109 of the Complaint.

110. The allegations set forth in paragraph 110 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 110 of the Complaint.

111. The June 26, 2023 indictment referenced in paragraph 111 of the Complaint speaks for itself, MRC Defendants respectfully refer the Court to said document for its effect and meaning thereof.

112. The press release referenced in paragraph 112 of the Complaint speaks for itself, MRC Defendants respectfully refer the Court to said document for its effect and meaning thereof.

113. The June 26, 2023 indictment referenced in paragraph 113 of the Complaint speaks for itself, MRC Defendants respectfully refer the Court to said document for its effect and meaning thereof.

114. The June 26, 2023 indictment referenced in paragraph 114 of the Complaint speaks for itself, MRC Defendants respectfully refer the Court to said document for its effect and meaning thereof.

115. The allegations set forth in paragraph 115 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 115 of the Complaint.

116. The allegations set forth in paragraph 116 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 116 of the Complaint.

117. The allegations set forth in paragraph 117 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 117 of the Complaint.

118. The allegations set forth in paragraph 118 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 118 of the Complaint.

119. The allegations set forth in paragraph 119 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 119 of the Complaint.

120. The allegations set forth in paragraph 120 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 120 of the Complaint.

121. The allegations set forth in paragraph 121 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 121 of the Complaint.

122. The allegations set forth in paragraph 122 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 122 of the Complaint.

123. The allegations set forth in paragraph 123 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 123 of the Complaint.

124. The allegations set forth in paragraph 124 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 124 of the Complaint.

125. The allegations set forth in paragraph 125 of the Complaint refer to allegations contained in the June 26, 2023 Indictment, which speaks for itself. MRC Defendants respectfully refer the Court to the June 26, 2023 Indictment for the effect and meaning thereof.

126. The allegations set forth in paragraph 126 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 126 of the Complaint.

127. The allegations set forth in paragraph 127 of the Complaint reference the *United States v. Haft*, No. 1:22-cr-00019-PGG (SDNY) court transcript, which speaks for itself. MRC Defendants respectfully refer the Court to such transcript for the effect and meaning thereof.

128. The allegations set forth in paragraph 128 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 128 of the Complaint.

129. The allegations set forth in paragraph 129 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 129 of the Complaint.

130. The allegations set forth in paragraph 130 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 130 of the Complaint.

131. The allegations set forth in paragraph 131 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 131 of the Complaint.

132. The allegations set forth in paragraph 132 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 132 of the Complaint.

133. The allegations set forth in paragraph 133 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 133 of the Complaint.

134. The allegations set forth in paragraph 134 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 134 of the Complaint.

135. The allegations set forth in paragraph 135 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 135 of the Complaint.

136. The allegations set forth in paragraph 136 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 136 of the Complaint.

137. The allegations set forth in paragraph 137 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 137 of the Complaint.

138. The allegations set forth in paragraph 138 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 138 of the Complaint.

139. The allegations set forth in paragraph 139 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 139 of the Complaint.

140. The allegations set forth in paragraph 140 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 140 of the Complaint.

141. The allegations set forth in paragraph 141 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 141 of the Complaint.

142. The allegations set forth in paragraph 142 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 142 of the Complaint.

143. The allegations set forth in paragraph 143 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 143 of the Complaint.

144. The allegations set forth in paragraph 144 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 144 of the Complaint.

145. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 145 of the Complaint.

146. The allegations set forth in paragraph 146 reference the wiretap affidavits, which speak for themselves. MRC Defendants respectfully refer the Court to these affidavits for the effect and meaning thereof. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 146 of the Complaint.

147. The allegations set forth in paragraph 147 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 147 of the Complaint.

148. The allegations set forth in paragraph 148 reference the wiretap affidavits, which speak for themselves. MRC Defendants respectfully refer the Court to these affidavits for the effect and meaning thereof. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 148 of the Complaint.

149. The allegations set forth in paragraph 149 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 149 of the Complaint.

150. The allegations set forth in paragraph 150 reference the wiretap affidavits, which speak for themselves. MRC Defendants respectfully refer the Court to these affidavits for the effect and meaning thereof. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 150 of the Complaint.

151. The allegations set forth in paragraph 151 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 151 of the Complaint.

152. The allegations set forth in paragraph 152 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 152 of the Complaint.

153. The allegations set forth in paragraph 153 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 153 of the Complaint.

154. The allegations set forth in paragraph 154 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 154 of the Complaint.

155. The allegations set forth in paragraph 155 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC

Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 155 of the Complaint.

156. The allegations set forth in paragraph 156 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 156 of the Complaint.

157. The allegations set forth in paragraph 157 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 157 of the Complaint.

158. The allegations set forth in paragraph 158 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 158 of the Complaint.

159. The allegations set forth in paragraph 159 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 159 of the Complaint.

160. The allegations set forth in paragraph 160 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 160 of the Complaint.

161. The allegations set forth in paragraph 161 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 161 of the Complaint.

162. The allegations set forth in paragraph 162 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 162 of the Complaint.

163. The allegations set forth in paragraph 163 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 163 of the Complaint.

164. The allegations set forth in paragraph 164 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 164 of the Complaint.

165. The allegations set forth in paragraph 165 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 165 of the Complaint.

166. The allegations set forth in paragraph 166 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 166 of the Complaint.

167. The allegations set forth in paragraph 167 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 167 of the Complaint.

168. The allegations set forth in paragraph 168 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 168 of the Complaint.

169. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 169 of the Complaint.

170. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 170 of the Complaint.

171. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 171 of the Complaint.

172. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 172 of the Complaint.

173. The allegations set forth in paragraph 173 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 173 of the Complaint

174. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 174 of the Complaint.

175. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 175 of the Complaint.

176. The allegations set forth in paragraph 176 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 176 of the Complaint.

177. The allegations set forth in paragraph 177 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 177 of the Complaint

178. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 178 of the Complaint.

179. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 179 of the Complaint.

180. The allegations set forth in paragraph 180 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 180 of the Complaint.

181. The allegations set forth in paragraph 181 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 181 of the Complaint.

182. The allegations set forth in paragraph 182 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 182 of the Complaint.

183. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 183 of the Complaint.

184. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 184 of the Complaint.

185. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 185 of the Complaint.

186. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 186 of the Complaint.

187. The allegations set forth in paragraph 187 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 187 of the Complaint.

188. The allegations set forth in paragraph 188 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 188 of the Complaint.

189. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 189 of the Complaint.

190. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 190 of the Complaint.

191. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 191 of the Complaint.

192. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 192 of the Complaint.

193. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 193 of the Complaint.

194. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 194 of the Complaint.

195. The allegations set forth in paragraph 195 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 195 of the Complaint.

196. The allegations set forth in paragraph 196 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 196 of the Complaint.

197. The allegations set forth in paragraph 197 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 197 of the Complaint.

198. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 198 of the Complaint.

199. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 199 of the Complaint.

200. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 200 of the Complaint.

201. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 201 of the Complaint.

202. The allegations set forth in paragraph 202 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 202 of the Complaint.

203. The allegations set forth in paragraph 203 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 203 of the Complaint.

204. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 204 of the Complaint.

205. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 205 of the Complaint.

206. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 206 of the Complaint.

207. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 207 of the Complaint.

208. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 208 of the Complaint.

209. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 209 of the Complaint.

210. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 210 of the Complaint.

211. The allegations set forth in paragraph 211 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 211 of the Complaint.

212. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 212 of the Complaint.

213. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 213 of the Complaint.

214. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 213 of the Complaint.

215. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 213 of the Complaint.

216. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 216 of the Complaint.

217. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 217 of the Complaint.

218. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 218 of the Complaint.

219. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 219 of the Complaint.

220. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 220 of the Complaint.

221. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 221 of the Complaint.

222. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 222 of the Complaint.

223. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 223 of the Complaint.

224. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 224 of the Complaint.

225. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 225 of the Complaint.

226. The allegations set forth in paragraph 226 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 226 of the Complaint.

227. The allegations set forth in paragraph 227 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 227 of the Complaint.

228. The allegations set forth in paragraph 228 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 228 of the Complaint.

229. The allegations set forth in paragraph 229 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 229 of the Complaint.

230. The allegations set forth in paragraph 230 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 230 of the Complaint.

231. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 231 of the Complaint.

232. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 232 of the Complaint.

233. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 233 of the Complaint.

234. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 234 of the Complaint.

235. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 235 of the Complaint.

236. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 236 of the Complaint.

237. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 237 of the Complaint.

238. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 238 of the Complaint.

239. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 239 of the Complaint.

240. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 240 of the Complaint.

241. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 241 of the Complaint.

242. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 242 of the Complaint.

243. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 243 of the Complaint.

244. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 244 of the Complaint.

245. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 245 of the Complaint.

246. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 246 of the Complaint.

247. The allegations set forth in paragraph 247 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 247 of the Complaint.

248. The allegations set forth in paragraph 248 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 248 of the Complaint.

249. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 249 of the Complaint.

250. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 250 of the Complaint.

251. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 251 of the Complaint.

252. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 252 of the Complaint.

253. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 253 of the Complaint.

254. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 254 of the Complaint.

255. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 255 of the Complaint.

256. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 256 of the Complaint.

257. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 257 of the Complaint.

258. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 258 of the Complaint.

259. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 259 of the Complaint.

260. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 260 of the Complaint.

261. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 261 of the Complaint.

262. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 262 of the Complaint.

263. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 263 of the Complaint.

264. The allegations set forth in paragraph 264 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 264 of the Complaint.

265. The allegations set forth in paragraph 265 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 265 of the Complaint.

266. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 266 of the Complaint.

267. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 267 of the Complaint.

268. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 268 of the Complaint.

269. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 269 of the Complaint.

270. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 270 of the Complaint.

271. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 271 of the Complaint.

272. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 272 of the Complaint.

273. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 273 of the Complaint.

274. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 274 of the Complaint.

275. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 275 of the Complaint.

276. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 276 of the Complaint.

277. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 277 of the Complaint.

278. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 278 of the Complaint.

279. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 279 of the Complaint.

280. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 280 of the Complaint.

281. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 281 of the Complaint.

282. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 282 of the Complaint.

283. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 283 of the Complaint.

284. The allegations set forth in paragraph 284 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 284 of the Complaint.

285. The allegations set forth in paragraph 285 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 285 of the Complaint.

286. The allegations set forth in paragraph 286 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 286 of the Complaint.

287. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 287 of the Complaint.

288. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 288 of the Complaint.

289. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 289 of the Complaint.

290. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 290 of the Complaint.

291. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 291 of the Complaint.

292. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 292 of the Complaint.

293. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 293 of the Complaint.

294. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 294 of the Complaint.

295. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 295 of the Complaint.

296. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 296 of the Complaint.

297. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 297 of the Complaint.

298. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 298 of the Complaint.

299. The allegations set forth in paragraph 299 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 299 of the Complaint.

300. The allegations set forth in paragraph 300 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 300 of the Complaint.

301. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 301 of the Complaint.

302. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 302 of the Complaint.

303. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 303 of the Complaint.

304. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 304 of the Complaint.

305. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 305 of the Complaint.

306. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 306 of the Complaint.

307. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 307 of the Complaint.

308. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 308 of the Complaint.

309. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 309 of the Complaint.

310. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 310 of the Complaint.

311. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 311 of the Complaint.

312. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 312 of the Complaint.

313. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 313 of the Complaint.

314. The allegations set forth in paragraph 314 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 314 of the Complaint.

315. The allegations set forth in paragraph 315 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 315 of the Complaint.

316. The allegations set forth in paragraph 316 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 316 of the Complaint.

317. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 317 of the Complaint.

318. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 318 of the Complaint.

319. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 319 of the Complaint.

320. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 320 of the Complaint.

321. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 321 of the Complaint.

322. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 322 of the Complaint.

323. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 323 of the Complaint.

324. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 324 of the Complaint.

325. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 325 of the Complaint.

326. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 326 of the Complaint.

327. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 327 of the Complaint.

328. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 328 of the Complaint.

329. The allegations set forth in paragraph 329 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 329 of the Complaint.

330. The allegations set forth in paragraph 330 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 330 of the Complaint.

331. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 331 of the Complaint.

332. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 332 of the Complaint.

333. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 333 of the Complaint.

334. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 334 of the Complaint.

335. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 335 of the Complaint.

336. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 336 of the Complaint.

337. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 337 of the Complaint.

338. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 338 of the Complaint.

339. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 339 of the Complaint.

340. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 340 of the Complaint.

341. The allegations set forth in paragraph 341 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 341 of the Complaint.

342. The allegations set forth in paragraph 342 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 342 of the Complaint.

343. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 343 of the Complaint.

344. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 344 of the Complaint.

345. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 345 of the Complaint.

346. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 346 of the Complaint.

347. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 347 of the Complaint.

348. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 348 of the Complaint.

349. The allegations set forth in paragraph 349 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 349 of the Complaint.

350. The allegations set forth in paragraph 350 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 350 of the Complaint.

351. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 351 of the Complaint.

352. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 352 of the Complaint.

353. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 353 of the Complaint.

354. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 354 of the Complaint.

355. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 355 of the Complaint.

356. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 356 of the Complaint.

357. The allegations set forth in paragraph 357 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 357 of the Complaint.

358. The allegations set forth in paragraph 358 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 358 of the Complaint.

359. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 359 of the Complaint.

360. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 360 of the Complaint.

361. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 361 of the Complaint.

362. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 362 of the Complaint.

363. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 363 of the Complaint.

364. The allegations set forth in paragraph 364 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 364 of the Complaint.

365. The allegations set forth in paragraph 365 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 365 of the Complaint.

366. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 366 of the Complaint.

367. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 367 of the Complaint.

368. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 368 of the Complaint.

369. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 369 of the Complaint.

370. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 370 of the Complaint.

371. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 371 of the Complaint.

372. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 372 of the Complaint.

373. The allegations set forth in paragraph 373 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 373 of the Complaint.

374. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 374 of the Complaint.

375. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 375 of the Complaint.

376. The allegations set forth in paragraph 376 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 376 of the Complaint.

377. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 377 of the Complaint.

378. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 378 of the Complaint.

379. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 379 of the Complaint.

380. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 380 of the Complaint.

381. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 381 of the Complaint.

382. The allegations set forth in paragraph 382 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 382 of the Complaint.

383. The allegations set forth in paragraph 383 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 383 of the Complaint.

384. The allegations set forth in paragraph 384 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 384 of the Complaint.

385. The allegations set forth in paragraph 385 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 385 of the Complaint.

386. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 386 of the Complaint.

387. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 387 of the Complaint.

388. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 388 of the Complaint.

389. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 389 of the Complaint.

390. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 390 of the Complaint.

391. The allegations set forth in paragraph 391 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 391 of the Complaint.

392. The allegations set forth in paragraph 392 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 392 of the Complaint.

393. The allegations set forth in paragraph 393 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 393 of the Complaint.

394. The allegations set forth in paragraph 394 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 394 of the Complaint.

VI. SPECIFIC ALLEGATIONS OF MAIL FRAUD RACKETEERING ACTIVITY

395. The allegations set forth in paragraph 395 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 395 of the Complaint.

396. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 396 of the Complaint.

397. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 397 of the Complaint.

398. The allegations set forth in paragraph 398 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 398 of the Complaint.

399. The allegations set forth in paragraph 399 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 399 of the Complaint.

400. The allegations set forth in paragraph 400 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 400 of the Complaint.

401. The allegations set forth in paragraph 401 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 401 of the Complaint.

402. The allegations set forth in paragraph 402 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 402 of the Complaint.

403. The allegations set forth in paragraph 403 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 403 of the Complaint.

404. The allegations set forth in paragraph 404 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 404 of the Complaint.

405. The allegations set forth in paragraph 405 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 405 of the Complaint.

406. The allegations set forth in paragraph 406 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 406 of the Complaint.

407. The allegations set forth in paragraph 407 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 407 of the Complaint.

408. The allegations set forth in paragraph 408 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 408 of the Complaint.

409. The allegations set forth in paragraph 409 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 409 of the Complaint.

410. The allegations set forth in paragraph 410 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 410 of the Complaint.

411. The allegations set forth in paragraph 411 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 411 of the Complaint.

412. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 412 of the Complaint.

413. The allegations set forth in paragraph 413 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 413 of the Complaint.

414. The allegations set forth in paragraph 414 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 414 of the Complaint.

415. The allegations set forth in paragraph 415 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 415 of the Complaint.

416. The allegations set forth in paragraph 416 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 416 of the Complaint.

417. The allegations set forth in paragraph 417 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 417 of the Complaint.

418. The allegations set forth in paragraph 418 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 418 of the Complaint.

419. The allegations set forth in paragraph 419 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 419 of the Complaint.

420. The allegations set forth in paragraph 420 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 420 of the Complaint.

VII. SPECIFIC ALLEGATIONS OF FRAUDULENT CONCEALMENT AND MISREPRESENTATIONS MADE TO AND RELIED ON BY ALLSTATE

421. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 421 of the Complaint.

422. The allegations set forth in paragraph 422 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 422 of the Complaint.

423. The allegations set forth in paragraph 423 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 423 of the Complaint.

424. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 424 of the Complaint.

425. The allegations set forth in paragraph 425 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 425 of the Complaint.

426. The allegations set forth in paragraph 426 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 426 of the Complaint.

427. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 427 of the Complaint.

428. The allegations set forth in paragraph 428 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 428 of the Complaint.

429. The allegations set forth in paragraph 429 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 429 of the Complaint.

430. The allegations set forth in paragraph 430 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 430 of the Complaint.

431. The allegations set forth in paragraph 431 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 431 of the Complaint.

432. The allegations set forth in paragraph 432 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 432 of the Complaint.

433. The allegations set forth in paragraph 433 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 433 of the Complaint.

434. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 434 of the Complaint.

435. The allegations set forth in paragraph 435 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 435 of the Complaint.

436. The allegations set forth in paragraph 436 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 436 of the Complaint.

437. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 437 of the Complaint.

438. The allegations set forth in paragraph 438 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 438 of the Complaint.

439. The allegations set forth in paragraph 439 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 439 of the Complaint.

440. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 440 of the Complaint.

441. The allegations set forth in paragraph 441 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 441 of the Complaint.

442. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 442 of the Complaint.

443. The allegations set forth in paragraph 443 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 443 of the Complaint.

444. The allegations set forth in paragraph 444 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 444 of the Complaint.

445. The allegations set forth in paragraph 445 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 445 of the Complaint.

446. The allegations set forth in paragraph 446 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 446 of the Complaint.

447. The allegations set forth in paragraph 447 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 447 of the Complaint.

448. The allegations set forth in paragraph 448 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 448 of the Complaint.

VIII. ALLSTATE'S JUSTIFIABLE RELIANCE

449. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 449 of the Complaint.

450. The allegations set forth in paragraph 450 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 450 of the Complaint.

451. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 451 of the Complaint.

452. The allegations set forth in paragraph 452 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 452 of the Complaint.

453. The allegations set forth in paragraph 453 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 453 of the Complaint.

454. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 454 of the Complaint.

455. The allegations set forth in paragraph 455 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 455 of the Complaint.

456. The allegations set forth in paragraph 456 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 456 of the Complaint.

457. The allegations set forth in paragraph 457 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 457 of the Complaint.

IX. DAMAGES

458. The allegations set forth in paragraph 458 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 458 of the Complaint.

X. CAUSES OF ACTION

AS AND FOR COUNT I

459. MRC Defendants repeat and reassert the above response as though fully set forth herein.

460. The allegations set forth in paragraph 460 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 460 of the Complaint.

461. MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations set forth in paragraph 461 of the Complaint.

462. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 462 of the Complaint.

463. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 463 of the Complaint.

464. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 464 of the Complaint.

465. The allegations set forth in paragraph 465 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 465 of the Complaint.

466. The allegations set forth in paragraph 466 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 466 of the Complaint.

467. The allegations set forth in paragraph 467 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 467 of the Complaint.

468. The allegations set forth in paragraph 468 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 468 of the Complaint.

469. The allegations set forth in paragraph 469 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 469 of the Complaint.

470. The allegations set forth in paragraph 470 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 470 of the Complaint.

471. The allegations set forth in paragraph 471 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 471 of the Complaint.

472. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 472 of the Complaint.

473. The allegations set forth in paragraph 473 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 473 of the Complaint.

474. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 474 of the Complaint.

475. The allegations set forth in paragraph 475 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 475 of the Complaint.

476. The allegations set forth in paragraph 476 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 476 of the Complaint.

AS AND FOR COUNT II

477. MRC Defendants repeat and reassert the above response as though fully set forth herein.

478. The allegations set forth in paragraph 478 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 478 of the Complaint.

479. The allegations set forth in paragraph 479 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 479 of the Complaint.

480. The allegations set forth in paragraph 480 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 480 of the Complaint.

481. The allegations set forth in paragraph 481 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 481 of the Complaint.

482. The allegations set forth in paragraph 482 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 482 of the Complaint.

483. The allegations set forth in paragraph 483 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 483 of the Complaint.

484. The allegations set forth in paragraph 484 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 484 of the Complaint.

AS AND FOR COUNT III

485. MRC Defendants repeat and reassert the above response as though fully set forth herein.

486. The allegations set forth in paragraph 486 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 486 of the Complaint.

487. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 487 of the Complaint.

488. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 488 of the Complaint.

489. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 489 of the Complaint.

490. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 490 of the Complaint.

491. The allegations set forth in paragraph 491 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 491 of the Complaint.

492. The allegations set forth in paragraph 492 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 492 of the Complaint.

493. The allegations set forth in paragraph 493 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required,

MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 493 of the Complaint.

494. The allegations set forth in paragraph 494 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 494 of the Complaint.

495. The allegations set forth in paragraph 495 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 495 of the Complaint.

496. The allegations set forth in paragraph 496 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 496 of the Complaint.

497. The allegations set forth in paragraph 497 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 497 of the Complaint.

498. The allegations set forth in paragraph 498 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 498 of the Complaint.

499. The allegations set forth in paragraph 499 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 499 of the Complaint.

500. The allegations set forth in paragraph 500 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 500 of the Complaint.

501. The allegations set forth in paragraph 501 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 501 of the Complaint.

502. The allegations set forth in paragraph 502 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 502 of the Complaint.

AS AND FOR COUNT IV

503. MRC Defendants repeat and reassert the above response as though fully set forth herein.

504. The allegations set forth in paragraph 504 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 504 of the Complaint.

505. The allegations set forth in paragraph 505 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 505 of the Complaint.

506. The allegations set forth in paragraph 506 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 506 of the Complaint.

507. The allegations set forth in paragraph 507 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 507 of the Complaint.

508. The allegations set forth in paragraph 508 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 508 of the Complaint.

509. The allegations set forth in paragraph 509 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 509 of the Complaint.

510. The allegations set forth in paragraph 510 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 510 of the Complaint.

AS AND FOR COUNT V

511. MRC Defendants repeat and reassert the above response as though fully set forth herein.

512. The allegations set forth in paragraph 512 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 512 of the Complaint.

513. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 513 of the Complaint.

514. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 514 of the Complaint.

515. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 515 of the Complaint.

516. The allegations set forth in paragraph 516 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 516 of the Complaint.

517. The allegations set forth in paragraph 517 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 517 of the Complaint.

518. The allegations set forth in paragraph 518 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 518 of the Complaint.

519. The allegations set forth in paragraph 519 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 519 of the Complaint.

520. The allegations set forth in paragraph 520 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 520 of the Complaint.

521. The allegations set forth in paragraph 521 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 521 of the Complaint.

522. The allegations set forth in paragraph 522 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 522 of the Complaint.

523. The allegations set forth in paragraph 523 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 523 of the Complaint.

524. The allegations set forth in paragraph 524 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 524 of the Complaint.

525. The allegations set forth in paragraph 525 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 525 of the Complaint.

526. The allegations set forth in paragraph 526 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 526 of the Complaint.

527. The allegations set forth in paragraph 527 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 527 of the Complaint.

528. The allegations set forth in paragraph 528 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 528 of the Complaint.

529. The allegations set forth in paragraph 529 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 529 of the Complaint.

530. The allegations set forth in paragraph 530 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 530 of the Complaint.

531. The allegations set forth in paragraph 531 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 531 of the Complaint.

532. The allegations set forth in paragraph 532 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 532 of the Complaint.

533. The allegations set forth in paragraph 533 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 533 of the Complaint.

AS AND FOR COUNT VI

534. MRC Defendants repeat and reassert the above response as though fully set forth herein.

535. The allegations set forth in paragraph 535 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 535 of the Complaint.

536. The allegations set forth in paragraph 536 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 536 of the Complaint.

537. The allegations set forth in paragraph 537 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 537 of the Complaint.

538. The allegations set forth in paragraph 538 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 538 of the Complaint.

539. The allegations set forth in paragraph 539 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 539 of the Complaint.

540. The allegations set forth in paragraph 540 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 540 of the Complaint.

541. The allegations set forth in paragraph 541 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 541 of the Complaint.

542. The allegations set forth in paragraph 542 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 542 of the Complaint.

AS AND FOR COUNT VII

543. MRC Defendants repeat and reassert the above response as though fully set forth herein.

544. The allegations set forth in paragraph 544 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 544 of the Complaint.

545. The allegations set forth in paragraph 545 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 545 of the Complaint.

546. The allegations set forth in paragraph 546 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 546 of the Complaint.

547. The allegations set forth in paragraph 547 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 547 of the Complaint.

548. The allegations set forth in paragraph 548 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 548 of the Complaint.

AS AND FOR COUNT VIII

549. MRC Defendants repeat and reassert the above response as though fully set forth herein.

550. The allegations set forth in paragraph 550 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 550 of the Complaint.

551. The allegations set forth in paragraph 551 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 551 of the Complaint.

552. The allegations set forth in paragraph 552 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 552 of the Complaint.

553. The allegations set forth in paragraph 553 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 553 of the Complaint.

554. The allegations set forth in paragraph 554 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 554 of the Complaint.

AS AND FOR COUNT IX

555. MRC Defendants repeat and reassert the above response as though fully set forth herein.

556. The allegations set forth in paragraph 556 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 556 of the Complaint.

557. The allegations set forth in paragraph 557 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 557 of the Complaint.

558. The allegations set forth in paragraph 558 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 558 of the Complaint.

559. The allegations set forth in paragraph 559 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 559 of the Complaint.

560. The allegations set forth in paragraph 560 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 560 of the Complaint.

AS AND FOR COUNT X

561. MRC Defendants repeat and reassert the above response as though fully set forth herein.

562. The allegations set forth in paragraph 562 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 562 of the Complaint.

563. The allegations set forth in paragraph 563 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 563 of the Complaint.

564. The allegations set forth in paragraph 564 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 564 of the Complaint.

565. The allegations set forth in paragraph 565 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 565 of the Complaint.

566. The allegations set forth in paragraph 566 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 566 of the Complaint.

AS AND FOR COUNT XI

567. MRC Defendants repeat and reassert the above response as though fully set forth herein.

568. The allegations set forth in paragraph 568 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 568 of the Complaint.

569. The allegations set forth in paragraph 569 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 569 of the Complaint.

570. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 570 of the Complaint.

571. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 571 of the Complaint.

572. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 572 of the Complaint.

573. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 573 of the Complaint.

574. The allegations set forth in paragraph 574 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 574 of the Complaint.

575. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 575 of the Complaint.

576. The allegations set forth in paragraph 576 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 576 of the Complaint.

AS AND FOR COUNT XII

577. MRC Defendants repeat and reassert the above response as though fully set forth herein.

578. The allegations set forth in paragraph 578 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 578 of the Complaint.

579. The allegations set forth in paragraph 579 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 579 of the Complaint.

580. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 580 of the Complaint.

581. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 581 of the Complaint.

582. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 582 of the Complaint.

583. MRC Defendants lack knowledge or information sufficient to form a basis as to the truth of the allegations contained in paragraph 583 of the Complaint.

584. The allegations set forth in paragraph 584 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 584 of the Complaint.

585. The allegations set forth in paragraph 585 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 585 of the Complaint.

586. The allegations set forth in paragraph 586 of the Complaint are argument and call for legal conclusion, to which no response is necessary. To the extent a response is required, MRC Defendants lack the knowledge or information sufficient to form a basis as to the truth of

the allegations as to the Other Defendants. As to the allegations against MRC Defendants, MRC Defendants deny the allegations contained in paragraph 586 of the Complaint.

FIRST AFFIRMATIVE DEFENSE

587. The Complaint fails to state a cause of action as to the answering MRC Defendants.

SECOND AFFIRMATIVE DEFENSE

588. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part by applicable statutes of limitation.

THIRD AFFIRMATIVE DEFENSE

589. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part by the doctrine of laches.

FOURTH AFFIRMATIVE DEFENSE

590. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part by the doctrine of estoppel.

FIFTH AFFIRMATIVE DEFENSE

591. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part by the doctrine of waiver.

SIXTH AFFIRMATIVE DEFENSE

592. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part by the doctrine of unclean hands.

SEVENTH AFFIRMATIVE DEFENSE

593. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part by Plaintiffs' failure to mitigate, minimize, or avoid their own damages.

EIGHTH AFFIRMATIVE DEFENSE

594. The claims in the Complaint as to the answering MRC Defendants are barred in whole or in part because the injury and/or damages alleged to have been sustained by Plaintiffs were caused by persons other than the answering MRC Defendants.

NINTH AFFIRMATIVE DEFENSE

595. To the extent that Plaintiffs' causes of action against the answering MRC Defendants sound in fraud, the answering MRC Defendants deny any fraud and did not possess the requisite scienter.

TENTH AFFIRMATIVE DEFENSE

596. MRC Defendants have insufficient knowledge and information on which to form a belief as to whether they have additional, as yet unstated, affirmative defenses available. MRC Defendants reserve the right to assert additional defenses in the event that discovery indicates that any such additional defenses would be appropriate.

FIRST CROSSCLAIM AGAINST PC DEFENDANTS

Defendants Pierre and MRC (collectively, "MRC Defendants"), cross complain of Defendants Rutland and Nexray (collectively, the "PC Defendants") as follows:

597. For purposes of the crossclaims only, MRC Defendants adopt by reference the allegations of the Complaint as against the PC Defendants.

598. Upon information and belief, Rutland is a professional corporation organized under the laws of the State of New York and registered to practice medicine under Defendant Moy's name and medical license.

599. Upon information and belief, Nexray is a professional corporation organized under the laws of the State of New York and registered to practice medicine under Defendant Weiner's name and medical license.

600. Plaintiffs have filed a complaint against MRC Defendants and PC Defendants.

601. Plaintiffs have alleged damages resulting from PC Defendants actions.

602. PC Defendants owed statutory duties of honesty, fiduciary duties, a common law duty of care, and other independent duties to Plaintiff that they allegedly breached independent of any conduct on the part of Pierre or MRC, contributing to the injury to Plaintiffs. Accordingly, to the extent that Pierre or MRC is found liable for any of the damages or injury allegedly suffered by Plaintiffs, they shall be entitled to contribution from PC Defendants.

603. In the event that Plaintiffs recover against MRC Defendants based upon any claim that the loss was proximately caused by PC Defendants actions, MRC Defendants are entitled to contribution from PC Defendants in proportion to their percentage of liability as determined by the trier of fact.

SECOND CROSSCLAIM AGAINST PC DEFENDANTS

604. MRC Defendants repeat and reallege each and every response and allegation set forth above as if fully set forth herein.

605. This is a crossclaim against PC Defendants for contractual indemnification.

606. MRC Defendants entered into agreements with Rutland and Nexray respectfully (collectively, the "Agreements").

607. MRC Defendants seek indemnification herein under the Agreements against all liability, claim, loss damage, or expense, including reasonable attorneys' fees, incurred by MRC Defendants or required to be paid by MRC Defendants by reason of any breach of failure of

observance of any representation, warranty, or covenant of good faith and fair dealing, fraudulent activity, and/or conversion, which Plaintiffs allege Defendants engaged, as per the Agreements.

608. As a result of PC Defendants' actions, MRC Defendants have been exposed to liability, claims, loss, damage, expense, and attorneys' fees arising from the claims alleged by Plaintiffs in the Complaint.

609. By reasons of the foregoing and pursuant to the terms of the Agreements, PC Defendants are obligated to indemnify and hold MRC Defendants harmless.

THIRD CROSSCLAIM AGAINST PC DEFENDANTS

610. MRC Defendants repeat and reallege each and every response and allegation set forth above as if fully set forth herein.

611. This is a crossclaim against PC Defendants for breach of contract.

612. MRC Defendants entered into the Agreements with PC Defendants.

613. In the event it is proven that PC Defendants' actions in any way constituted a violation of 18 U.S.C. §1962(c-e); Common Law Fraud; or Unjust Enrichment, then PC Defendants' acts and/or omissions constitute breaches of PC Defendants obligations under the Agreements.

614. As a result of PC Defendants breach of the Agreements, MRC Defendants have suffered and are entitled to recover damages from PC Defendants in an amount to be proven at trial.

WHEREFORE, MRC Defendants demand judgment as follows:

A. Dismissing the Complaint in its entirety, with prejudice, as against Pierre and MRC; and

B. Upon their First Crossclaim, an order awarding MRC Defendants judgment against PC Defendants for Contribution in the amount of the judgment, if any, against Defendants that exceeds the equitable portion of such judgment attributable to MRC Defendants; and

C. Upon their Second Crossclaim, an order awarding MRC Defendants judgment against PC Defendants for Indemnification and to defend and hold MRC Defendants harmless and to pay all losses, damages, fees, expenses, and costs (including reasonable attorneys' fees and court costs) MRC Defendants have incurred as a result of PC Defendants' alleged actions; and

D. Upon their Third Crossclaim, an order awarding MRC Defendants judgment against PC Defendants for Breach of Contract in the amount to be determined at trial, but not less than the amount of the judgment, if any, against Defendants; and

E. Such other and further relief as to the Court appears just and proper, including the costs and disbursements of this action, including reasonable attorneys' fees.

Dated: New York, New York
November 13, 2023

MINTZ & GOLD LLP

By: /s/ Ryan W. Lawler
Ryan W. Lawler
600 Third Avenue, 25th Floor
New York, New York 10016
(212) 696-4848
lawler@mintzandgold.com
*Attorney for Defendants Medical Reimbursement
Consultants, Inc., and Bradley Pierre*